

REMARKS

Claims 1-4 are pending in the application. Claims 1-4 have been cancelled and claims 5-9 have been added, leaving claims 5-9 for consideration upon entry of the present Amendment. Support for the claims can be found in the original filed claims and on page 10 of the specification. Applicant respectfully requests reconsideration in view of the following amendment and remarks.

Claims 1-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Takahashi (U.S. 6,504,960) and Aoyagi et al. (U.S. 5,982,999) ("Aoyagi"). For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Claims 1-4 have been cancelled and claims 5-9 have been added. As such, Applicant response is directed to claims 5-9. Claims 5-9 include the following limitation: "an operating device to input identification information of a customer, and relevant information which includes at least one of color, hue, chroma, brightness, sharpness, and hardness, as preference of the customer about finishing of a color image print." This limitation defines the type of relevant information inputted into an operating device. Neither Takahashi nor Aoyagi teach or suggest that limitation.

The Examiner asserts that the relevant information in Takahashi is the print-format confirming mode. The print data file includes sheet number, file name, vertical/horizontal information, layout template number, print position, number of prints and output size. See col. 7, lines 43-46. This information is focused on the format of the image data rather than the quality of the image data as recited in the claims. Takahashi does not teach or suggest inputting information that includes information regarding the quality of the color image print. Moreover, Takahashi does not teach or suggest input identification information of a

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customer since Takahashi only contemplates having one user for the camera.

The Examiner asserts that the relevant information in Aoyagi is the BCMY color and that the BCMY color is edited or modified from the color of original image data in step S505. S505 of Figure 5 explains that there is editing of the image, but that the editing is from RGB data converted to BkCMY data. Column 10, lines 63-66 explain that the computer 100 reads out RGB data from the image memory 403 and performs editing of the image using the image editing software 206. The RGB data is color-converted to BkCMY data by the image editing software 206.

However, claims 5-9 require the following limitation “relevant information which includes at least one of color, hue, chroma, brightness, sharpness, and hardness, as preference of the customer about finishing of a color image print.” (Emphasis supplied). There is nothing in Aoyagi that teaches about the preference of the customer regarding the finishing of the color image print. At most, Aoyagi teaches that the user can select the print mode suited to his/her desire. See column 20, lines 20-21. The print mode addresses the format of the image and not the quality of the image. Accordingly, Aoyagi does not teach or suggest all of the limitations of claims 5-9.

In addition, claims 5-9 include the following additional limitations: “a memory device to memorize the relevant information paired with the identification information, inputted by the operating device; an order receiving device to receive the identification information, color image data to be printed, and print producing information which contains at least one of print size and print quantity, from the customer; a controller to obtain the relevant information from the memory device, by using the identification information received by the order receiving device; and a print producing device to produce the color image print, based on the color image data, the print producing information, and the relevant information.” Takahashi and Aoyagi do not teach or suggest these limitations. Because neither Takahashi nor Aoyagi teach or suggest having identification information of a customer, Takahashi and Aoyagi do not teach or suggest any of these additional limitations that include using the identification information as recited in the claims.

Accordingly, Takahashi and Aoyagi do not teach or suggest all of the limitations of the claims. Applicants respectfully request that the Examiner allow claims 5-9.

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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